THE HON'BLE SRI JUSTICE V.ESWARAIAH

Writ Petition No.23795 of 2007

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents 1 to 3.

It is the case of the petitioner that on a representation filed by the fourth respondent before the District Legal Services Authority, Karimnagar, the District Legal Services Authority issued a notice in Dis No.674, dated 20-09-2007, to the petitioner calling upon him to appear on 26-09-2007 in a pre-litigation matter pending before it. It is the grievance of the petitioner that he is the absolute owner and possessor to an extent of Acs.10.32 guntas in Sy.Nos.265 and 266 of Vedira village of Ramadugu Mandal, Karimnagar District and for the purpose of providing an approach road for the fourth respondent, the respondents 2 and 3 are taking steps to dispossess him without following the due procedure. It is the case of the petitioner that if the said land is required for the public purpose or for the purpose of fourth respondent, the appropriate legal process has to be followed, either by acquiring the said land or by purchasing the said land by the fourth respondent, but without following the due process of law he cannot be dispossessed.

Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case, I am of the considered opinion that from the patta land of the petitioner, official respondents cannot lay an approach road for the fourth respondent without following the due process of law.

The Writ Petition is disposed of directing the official

respondents not to dispossess the petitioner or interfere with any portion of the land owned by the petitioner, without following due process of law. No costs.

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V.ESWARAIAH, J.

12th November, 2007.

Skmr

THE HON'BLE SRI JUSTICE V.ESWARAIAH

Writ Petition No.23795 of 2007

Dated 12th November, 2007

Between:

Chennamaneni Sudheer Rao
.. Petitioner

And

The District Collector, Karimnagar District
and others .. Respondents